

REMARKS

Claims 15-24 and 26-35 are pending. By this Amendment, claims 15, 17, 26 and 28 are amended and claims 25 and 36 are canceled. Support for these amendments may be found at least at paragraphs [0042]-[0049] of the specification. No new matter is introduced.

The Office Action objects to claims 15, 17, 26 and 28. Claims 15, 17, 26 and 28 are amended to obviate the objections. Accordingly, Applicants respectfully request withdrawal of the objections to claims 15, 17, 26 and 28.

The Office Action rejects claims 15-25 under 35 U.S.C. §101. By this amendment, independent claims 15 and 17 are amended to recite "obtaining unevenness data of the partition walls from the obtained image." Applicants assert that this amendment overcomes the 35 U.S.C. §101 rejection, and accordingly request that the rejection be withdrawn.

The Office Action rejects claims 15-21 and 26-32 under 35 U.S.C. §102(b) as being anticipated by Ohnishi (U.S. Patent No. 5,463,462). Applicants appreciate the Office Action's indication that claims 22-25 and 33-36 contain allowable subject matter. However, Applicants respectfully assert that all currently pending claims 15-24 and 26-35 are allowable, and hereby respectfully traverse the Office Action's rejection under 35 U.S.C. §102(b).

In particular, Applicants assert that Ohnishi does not disclose or suggest allowing a diffusion light to enter from one end face side of a honeycomb structure ... to inspect for each cell the level of the surface unevenness of the partition walls of the honeycomb structure, as recited in independent claim 15, and similarly recited in independent claims 17, 26 and 28. In sharp contrast, Ohnishi discloses using a collimated, parallel laser beam for inspecting the honeycomb structure. See Fig. 1 and col. 4, lines 41-49 of Ohnishi. Ohnishi uses this laser beam to detect defects in partition walls such as interstices 58, and can also detect through holes 56. See Fig. 6 and col. 9, lines 42-58 of Ohnishi. However, Ohnishi does not disclose or suggest using diffusion light and further does not disclose or suggest an ability to inspect

the surface unevenness of the partition walls of the honeycomb structure, as recited in independent claim 15, and similarly recited in independent claims 17, 26 and 28.

Further, Applicants assert that the parallel laser beam of Ohnishi cannot possibly inspect the surface unevenness of the partition wall. For example, as disclosed in the current specification, the parallel light used in Ohnishi actually prevents a precise measurement of the unevenness of the partition walls. See page 12, lines 19-25 of the current specification. On the other hand, when diffused light is used the level of unevenness can be inspected. See page 13, line 27 - page 14, line 6 of the current specification. Accordingly, Ohnishi does not disclose or suggest allowing a diffusion light to enter from one end face side of a honeycomb structure ... to inspect for each cell the level of the surface unevenness of the partition walls of the honeycomb structure, as recited in independent claim 15, and similarly recited in independent claims 17, 26 and 28.

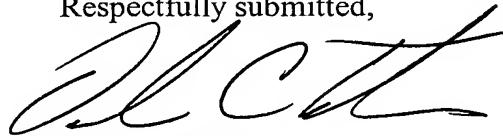
Still further, Applicants respectfully assert that Ohnishi does not disclose or suggest allowing the exited diffusion light to pass through a translucent screen, as recited in independent claim 15, and similarly recited in independent claims 17, 26 and 28. The Office Action asserts that Ohnishi's lenses 34 and 38 and reflectors 36 and 40 correspond to the recited screen. Applicants respectfully disagree. In fact, Applicants assert that Ohnishi, which, as discussed above, merely discloses the use of lens and reflectors, teaches away from using Ohnishi's parallel laser beam apparatus in combination with a screen. See Ohnishi, col. 1, lines 56-62, where Ohnishi discloses the shortcomings of using a parallel laser beam in combination with a screen. Specifically, Ohnishi discloses that in such a combination the light beam passes straight through the through holes so that the pattern cannot easily be distinguished from a pattern which is formed on the screen by a light beam that has passed through the interstices. Accordingly, Ohnishi does not disclose or suggest the screen, as recited in independent claims 15 and 17.

In view of the above, Ohnishi does not disclose or suggest the subject matter recited in independent claims 15, 17, 26 and 28. Claims 16, 18, 20, 22 and 24 depend from claim 15; claims 19, 21 and 23 depend from independent claim 17; claims 27, 29, 31, 33 and 35 depend from independent claim 26; and claims 30, 32 and 34 depend from independent claim 28. Accordingly, Ohnishi does not disclose or suggest the subject matter recited in claims 15-24 and 26-35, which are therefore allowable. Accordingly, Applicants respectfully request withdrawal of the rejection of claims 15-24 and 26-35 under 35 U.S.C. §102(b). The rejection of canceled claims 25 and 36 is moot.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff  
Registration No. 27,075

Daniel C. Tucker  
Registration No. 62,781

JAO:DCT/mkg

Date: May 22, 2009

**OLIFF & BERRIDGE, PLC**  
P.O. Box 320850  
Alexandria, Virginia 22320-4850  
Telephone: (703) 836-6400

|  |
|--|
| <p>DEPOSIT ACCOUNT USE<br/>AUTHORIZATION<br/>Please grant any extension<br/>necessary for entry;<br/>Charge any fee due to our<br/>Deposit Account No. 15-0461</p> |
|--|